

Donald E.J. Kilmer, Jr. (SBN: 179986)  
LAW OFFICES OF DONALD KILMER, A.P.C.  
1645 Willow Street, Suite 150  
San Jose, California 95125-5120  
Voice: (408) 264-8489  
Fax: (408) 264-8487  
Email: [Don@DKLawOffice.com](mailto:Don@DKLawOffice.com)

Jason A. Davis (SBN: 224250)  
Davis & Associates  
27281 Las Ramblas, Suite 200  
Mission Viejo, CA 92691  
Voice: (949) 310-0817  
Fax: (949) 288-6894  
E-Mail: [Jason@CalGunLawyers.com](mailto:Jason@CalGunLawyers.com)

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK AARON HAYNIE,  
BRENDAN JOHN RICHARDS, THE  
CALGUNS FOUNDATION, INC.,  
and THE SECOND AMENDMENT  
FOUNDATION, INC.,

Plaintiffs,

vs.

KAMALA HARRIS, Attorney General  
of California (in her official capacity)  
and CALIFORNIA DEPARTMENT  
OF JUSTICE, CITY OF ROHNERT  
PARK, OFFICER DEAN BECKER  
(RP134) and DOES 1 TO 20,

Defendants.

Case No.: 3:10-CV-01255 SI<sup>1</sup>  
3:11-CV-02493 SI

**STIPULATION and JOINT  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES  
SHOULD BE RELATED**

**ND CA Rule 7-11  
ND CA Rule 3-12(b)**

Proposed Related Case:

*Richards, et al v. Harris, et al.*  
Case No.: 3:11-CV-05580 LB  
Filed November 17, 2011

<sup>1</sup> *Haynie v. Harris*, Case No.: 3:10-CV-01255 SI was ordered consolidated with *Richards v. Harris*, Case No.: 3:11-CV-02493 SI, in an ordered filed on October 22, 2011. (See Documents # 42 and #15 respectively.)

1 IT IS HEREBY STIPULATED by and between the parties hereto through  
 2 their respective attorneys of record that a subsequent case is and ought to be related  
 3 to this action.

4 The subsequent case is *Richards, et al., v. Harris, et al.*, Case No.: CV-11-5580  
 5 LB. The case was filed on November 17, 2011. A true and correct copy of the  
 6 Complaint without exhibits is attached. A Notice of Related Case was also filed in  
 7 the subsequent case.

8 The case sought to be related sets forth similar issues of law and fact set forth  
 9 in the consolidated Second Amended Complaint in the current action. The only  
 10 substantial difference would be the addition of Defendants: SONOMA COUNTY  
 11 SHERIFFS' OFFICE and SHERIFFS' DEPUTY GREG MYERS.

12 The Defendants, by and through undersigned counsel stipulate that the cases  
 13 are related pursuant to Local Rule 3-12.

14 The Plaintiffs, by and through undersigned counsel stipulate that the cases  
 15 are related pursuant to Local Rule 3-12.

16 A Case Management Conference is currently scheduled in the current matter  
 17 for January 13, 2012 at 3:00 p.m. in Courtroom 10, 19<sup>th</sup> Floor, San Francisco. The  
 18 parties herein respectfully suggest that the Court reset this conference to date in  
 19 February, 2012.

20 SO STIPULATED.

21 Date: December 16, 2011

Date: December 16, 2011

22 /s/  
 23 Ross Moody,  
 24 Counsel for Defendants  
 Harris & California Dept. of Justice

/s/  
 Donald Kilmer  
 Counsel for Plaintiffs

25 Date: December 16, 2011

26 /s/  
 27 Robert W. Henkels  
 28 County for Defendants  
 City of Rohnert Park & Becker

**ATTESTATION FOR COMPLIANCE WITH GENERAL ORDER 45 AND  
LOCAL RULE VIII.B.**

I, Donald Kilmer, declare under penalty of perjury under the laws of California and the United States that I have in my possession e-mail correspondence from Ross Moody and Robert Henkels that the content of this document is acceptable to all persons required to sign the document. I declare that this document was signed in San Jose, CA on December 16, 2011

/s/

Donald Kilmer  
Attorney for Plaintiffs

**FINDINGS AND ORDER**

Pursuant to the stipulation of the parties and a review of the Complaint in *Richards v. Harris*, Case No.: CV 11-05580 LB, and the Amended Consolidated Complaint in this action, this Court finds that the matters are related under Local Rule 3-12.

The Clerk of the Court is directed to reassign *Richards v. Harris*, Case No.: CV 11-05580 LB to the same docket as *Haynie v. Harris*, Case No.: CV 10-1255 SI and *Richards v. Harris*, Case No.: CV-11-02493. All deadlines in the second *Richards* case are vacated and an Initial Case Management Conference is to be combined with the currently scheduled Case Management Conference in this matter set for January 13, 2012 at 3:00 p.m. in Courtroom 10, 19<sup>th</sup> Floor, San Francisco.

Plaintiffs are directed to serve a copy of this Stipulation and Order on the remaining Defendants in *Richards v. Harris*, Case Number: 3:11-CV-05580 LB (the second *Richards* case).

Date: 12/19/11



United States District Judge